

Interview Summary	Application No.	Applicant(s)	
	10/709,795	SLIVKA ET AL.	
	Examiner	Art Unit	
	Richard Shaffer	3775	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Richard Shaffer. (3) Christina Sperry.
 (2) Eduardo Robert. (4) Lisa Adams.

Date of Interview: 02 December 2008.

Type: a) ☐ Telephonic b) ☐ Video Conference
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 1,12,24 and 32.

Identification of prior art discussed: Parker (US 2004/0260284); Biedermann et al (US 2004/0049190); Errico et al (US 5,690,630).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 EDUARDO C. ROBERT
 SUPERVISORY PATENT EXAMINER

RS
 Examiner, Art Unit 3775

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representatives, Lisa Adams and Christina Sperry, met with the Office to discuss possible claim limitations to overcome the prior art rejections. It was agreed that positively reciting the spinal rod in claims 1 and 32 as well as claiming the rod seating partially within the distal cavity/recess in which the screw head is housed would overcome the prior art of record. However, it was stated that an updated search is required before confirming the allowability of the claims. If no additional art is found, it was agreed that an examiner's amendment would be done to put the case into conditions for allowance with the proposed claim changes. If additional art is found, applicant will be contacted to discuss possible actions to take.

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